

66461 U.S. PTO  
03/24/97

65705 U.S. PATENT  
08823434  
03/24/97  
ACS 48595

Atty. Docket No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Continuing Application under 37 CFR 1.60

Docket Number: ACS 42595	Anticipated Classification of this Application: <u>Class</u> <u>Subclass</u>	Prior application:  <u>Examiner</u> <u>Art Unit</u> C. Bennett                      3307
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Box PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

This is a request for filing a [ ] continuation [x] divisional application under 37 CFR 1.60, of pending prior Application No. 08/783,097, filed on January 14, 1997, of Philip Lau, William Hartigan, John J. Frantzen inventor(s) currently of record in prior application) for EXPANDABLE STENTS AND METHOD FOR MAKING SAME

[X] Enclosed is a copy of the prior application, including the oath or declaration as originally filed.

I hereby verify that the attached papers are a true copy of prior Appln. No. 08/783,097, as originally filed on January 14, 1997 and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

[ ] Verified Small Entity Status form(s):  
[ ] enclosed, [ ] will follow, [ ] filed in prior application and copy(s) enclosed.

[X] The filing fee is calculated below:

CLAIMS AS FILED IN PRIOR APPLICATION, LESS ANY CLAIMS  
CANCELLED BY AMENDMENT BELOW.

For	Number filed	Number extra	Rate	Fee
Total Claims	8 - 20 =	-0- X	\$22.00	= \$ -0-
Independent claims	1 - 3 =	-0- X	\$80.00	= \$ -0-
Multiple Dependent Claim Fee			\$260.00	= \$
Basic fee				= \$ 770.00
Total of above Calculations =				= \$ 770.00
Reduction by ½ for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)			Less	= \$
			TOTAL	= \$ 770.00

4. [X] A check in the amount of \$ 770.00 is enclosed.

5. [X] The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this filing, or credit any overpayment, to Account No. 06-2425. A duplicate copy of this sheet is enclosed.

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6. ☒ Cancel in this application original claims 1 thru 24 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

7. ☒ Amend the specification by inserting before the first line the sentence: -This is a [ ] continuation, [X] division, of Application No. 087783,097, filed January 14, 1997.

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Section 1.138 and before payment of base issue fee.)

- 8a. ☒ New drawings ☐ formal ☒ informal are enclosed.

- 8b. ☐ Priority of Application No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119.

- 8c. ☐ The certified copy has been filed in prior Application No. \_\_\_\_\_, filed \_\_\_\_\_.

9. ☒ The prior application is assigned of record to ADVANCED CARDIOVASCULAR SYSTEMS, INC.

10. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

11. ☒ The power of attorney in the prior application is to:

Craig B. Bailey, Reg. No. 28,786; Richard A. Bardin, Reg. No. 20,365;

Gilbert G. Kovelman, Reg. No. 19,552; and John S. Nagy, Reg. No. 30,664

all of FULWIDER PATTON LEE & UTECHT, LLP

(name and registration number)

all of 10877 Wilshire Blvd, 10th Floor, Los Angeles, California 90024.

- 11a. ☒ The power appears in the original papers in the prior application.
- 11b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- 11c. ☒ Address all future communications to: John S. Nagy, Esq., FULWIDER PATTON LEE & UTECHT, LLP, 10877 Wilshire Blvd., 10th Floor, Los Angeles, California 90024.
- 11d. ☒ Address all telephone inquiries to John S. Nagy at the below listed telephone number. (May only be completed by applicant, or attorney or agent of record.)

3/24/97  
(Date)

John Nagy  
(Signature)

Address of signer:  
FULWIDER PATTON LEE & UTECHT, LLP  
10877 Wilshire Blvd., 10th Floor  
Los Angeles, California 90024  
Telephone No. (310) 824-5555  
Facsimile No. (310) 824-9696

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record  
☐ Filed under Section 1.34(a)

Date: March 24, 1997

In re application of: Lilip Lau, William M. Hartigan, John J. Frantzen  
Serial No.: Divisional of 08/783,097

Filed: January 14, 1997

For: EXPANDABLE STENTS AND METHOD FOR MAKING SAME

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

submitted herewith is an amendment in the above-identified application:

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.  
No additional fee is required.

fee has been calculated as shown below:

	COL. (1)		COL. (2)		COL. (3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA
TAL	• 8	MINUS	•• 20		• -0-
DEP.	• 1	MINUS	••• 3		• -0-
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	FEE
X \$ 11	\$
X \$ 39	\$
+ \$125	\$
1 MO. EXT. \$ 55	\$
2 MO. EXT. \$ 190	\$
3 MO. EXT. \$ 450	\$
TOTAL ADDL. FEE	\$

OTHER THAN A SMALL ENTITY	
RATE	ADDITIONAL FEE
X \$ 22	\$
X \$ 80	\$
+ \$250	\$
1 MO. EXT. \$ 110	\$
2 MO. EXT. \$ 380	\$
3 MO. EXT. \$ 900	\$
TOTAL ADDL. FEE	\$ -0-

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
  - \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
  - \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. **06-2425** the amount of \$\_\_\_\_\_. A duplicate of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **06-2425**. A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

FULWIDER PATTON LEE & UTECHT, LLP  
Attorneys at Law  
10877 Wilshire Boulevard, Tenth Floor  
Los Angeles, California 90024

Respectfully submitted,

  
John S. Nagy, Reg. No. 30,664

JSN:jeb